

Chapter 19.740***Temporary Use Permit*****19.740.010 Purpose**

The purpose of a Temporary Use Permit is to regulate those uses and activities of a temporary nature that may affect the public peace, health, safety, and general welfare.

19.740.020 Applicability

- A. Temporary uses shall be permitted with a temporary use permit as specified in Tables 19.150.020 C (Temporary Use Table) and 19.740.020 (Temporary Uses) that indicate each temporary use permitted, the zones in which the use is allowed, the maximum number of days each use is allowed in each calendar year on each property, and the maximum number of occurrences each use is allowed in each calendar year on each property or commercial complex.

Table 19.740.020**Temporary Uses**

Temporary Use	Maximum Number of Days per Calendar Year	Maximum Number of Occurrences per Calendar Year
Caretaker Living Quarters – Temporary During Construction	Initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted.	
Christmas Tree and Pumpkin Sales (Seasonal)	30	2
Circus (With Tent)	7	1
Dwelling Unit (Motor Home, RV, Camper, etc.)	15	1
Fair, Concert, Exhibit or Similar Uses (Children's photos on ponies in Parking Lots, Craft, Fairs, etc.)	7	2
Mobile Medical Units for Humans	7	2
Non-Commercial Car Wash	16	16
Non-Commercial Tent Meetings	10	1
Outdoor Preparation of Food (Temporary)	3	6
Parking Lot Sales (Outdoors or in Mobile or Temporary Enclosures)	24 (maximum 10 days per sale)	4
Special Events (Running Events, Parades, Block Parties, etc.)	Special Events are administered by the Police Department pursuant to 2.28	
Subdivision Sales Trailer and/or Office During Construction	Initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted.	

Table 19.740.020

Temporary Uses

Temporary Use	Maximum Number of Days per Calendar Year	Maximum Number of Occurrences per Calendar Year
Vapor Recovery	Initial period of no more than six months, except that individual extensions of up to three months each may be granted until the work is complete.	

- B. City departments and other agencies that must approve the use prior to each occurrence will be determined by the Planning Division as part of the TUP review process with respect to each proposed temporary use.
- C. Temporary uses are not permitted in the public right-of-way, unless specifically approved by the City Council.

19.740.040 Exemption

Any temporary uses allowed by this Chapter proposed to be located within the boundaries of Raincross Square Plaza described as:

That portion of Block 4 Range 7, together with portion of Fourth Street vacated and Main Street vacated, all of map of the Town of Riverside, as shown by map on file in Book 7, page 17 of Maps, records of San Bernardino County, California and that portion of Map of V.S. Runnels Re-subdivision of Block 4 Range 6, as shown by map on file in Book 6, page 1 of Maps, records of San Bernardino County, California, described as follows:

Commencing at the intersection of the centerline of Main Street vacated with the centerline of Fifth Street as shown by said map of the Town of Riverside;

THENCE North 29° 00' 00" East, along said centerline of Main Street vacated, 120.00 feet to the TRUE POINT OF BEGINNING;

THENCE South 61° 00' 00" East, 65.00 feet;

THENCE North 29° 00' 00" East, 100.00 feet;

THENCE South 61° 00' 00" East, 50.00 feet;

THENCE North 29° 00' 00" East, 70.00 feet

THENCE North 61° 00' 00" West, 50.00 feet;

THENCE North 29° 00' 00" East, 80.00 feet;

THENCE North 61° 00' 00" West, 130.00 feet;

THENCE South 29° 00' 00" West, 250.00 feet;

THENCE South 61° 00' 00" East, 65.00 feet to said TRUE POINT OF BEGINNING



Raincross Square Plaza

are exempt from the filing of a temporary use permit. Although no temporary use permit is required for Raincross Square Plaza, any use of tents or similar structures shall be located to maintain all disable access to and within that area and shall require approvals of the Building Division and Fire Department.

19.740.050 Development and Operational Standards

- A. Caretaker Living Quarters – Temporary During Construction – For development standards for caretaker living quarters used during construction review Article XII Chapter 19.430.
- B. Christmas Tree and Pumpkin Sales (Seasonal) – Christmas tree and pumpkin sales lots are subject to compliance with the following criteria as set forth below:
 - 1. Christmas tree/pumpkin sales within an existing retail center or business may not occupy more than ten percent of the parking area and may not substantially alter the existing traffic circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Zoning Administrator;
 - 2. Christmas tree and pumpkin sales lots located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Zoning Administrator. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;

3. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to nine a.m. to ten p.m., unless other hours are specified by written approval issued by the Zoning Administrator. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
 4. Incidental sales of Christmas tree lights, tree decorations and stands may be permitted in conjunction with a Christmas tree sales lot, but sales of gift items are excluded; and
 5. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Zoning Administrator or authorized representative.
- C. Dwelling Unit (Motor Home, RV, Camper, etc.) – A single camper, mobile home, motor home or trailer may be temporarily placed, maintained, occupied and used for dwelling, residential and sleeping purposes for a period not to exceed 15 total days in any one calendar year on any given parcel in a single family residential zone occupied by a single family dwelling.
- D. Mobile Medical Units for Humans – Mobile medical units shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical unit.
- E. Outdoor Preparation of Food (Temporary) – The requirements for the outdoor preparation of food applies only when in conjunction with a permanent indoor restaurant and does not pertain to the outdoor preparation of food in association with legally established school or assemblies of people – non-entertainment, street fairs, carnivals or push carts that are regulated separately.
- For development standards for the temporary outdoor preparation of food the standards for Outdoor Dining and Food Preparation (Permanent) shall apply, Chapter 19.495.
- F. Parking Lot Sales – Parking lot sales are subject to compliance with the following criteria as set forth below:
1. Parking lot or sidewalk sales must be in conjunction with, and clearly incidental to, an existing permanent use on site. Parking lot sales on vacant lots is not permitted, excluding Christmas tree and pumpkin lot sales that may be permitted on vacant lots;
 2. Parking lot or sidewalk sales shall not occupy more than ten percent of the parking area and shall not substantially alter the existing circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Zoning Administrator or authorized representative; and

3. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Zoning Administrator or authorized representative.

G. Subdivision Sales Trailer and/or Office During Construction

1. The temporary unit shall be located on-site and in the rear half of the lot, unless otherwise approved by the Zoning Administrator. In no instance shall the temporary unit be located within public right-of-way.
2. The temporary unit shall be located at least five feet from all property lines. For side and rear property lines adjoining an existing residential use, the setback of the underlying zone shall apply.
3. The temporary unit shall be connected to water and electric utilities. Where required by the Public Works Department, the unit shall be connected to the sewer system.
4. The unit shall be allowed to remain on the site for an initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted by the Zoning Administrator. There shall be no fee for these time extensions. In considering whether to grant a time extension, the Zoning Administrator may consider evidence of any land use compatibility related complaints from surrounding residents and property owners.
5. No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.
6. An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.

H. Vapor Recovery Operations – Vapor recovery operations for fuel-contaminated soil are subject to the site location criteria, operation and development standards below:

1. Site Location Criteria
 - a. All equipment shall be located as far as possible, but not closer than 10 feet, to any property with a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
 - b. The location on the site shall not disrupt the flow of traffic onto and off of the site.
 - c. Whenever possible, the facility shall not displace required parking. If this is not possible, the Zoning Administrator may grant a temporary displacement of required parking for the time the vapor recovery operation is in operation.

2. Operation and Development Standards

- a. All equipment shall be screened with landscaping, block walls or opaque fencing consistent with landscaping and/or physical improvements in the area.
- b. Sound emanating from machinery shall be muffled so as not to exceed sixty dBA at the nearest property line of any nonresidential use and forty-five dBA at the nearest property line of a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
- c. The Zoning Administrator may limit the hours of operation to between 8:00 a.m. and 10:00 p.m. where vapor recovery operations are located near residential uses or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
- d. Approval from all applicable governmental agencies shall be obtained.
- e. At the conclusion of the vapor recovery operation, all machinery and improvements shall be completely removed from the site and the previously existing improvements shall be replaced in accordance with all local standards. The Zoning Administrator may require suitable documentation guaranteeing such removal and repairs.

19.740.060 Limitations of Approval

Each permitted temporary use shall be limited to the maximum number of days and the maximum number of occurrences allowed per calendar year by Table 19.740.020 (Temporary Uses) of this Chapter. When either the maximum number of days or the maximum number of occurrences has been reached the temporary use shall not be permitted on the property for the duration of the calendar year. A commercial complex shall be considered as one property for purposes of determining the maximum number of occurrences allowed. A commercial complex is defined as a group of two or more commercial uses on a single parcel or contiguous parcels that utilize common off-street parking and access.

19.740.070 Temporary Outdoor Storage and Loading

In all zones for those businesses or other authorized uses that ordinarily receive and/or send out merchandise, products and the like, articles to be loaded or unloaded may be temporarily stored outside for a period not to exceed two hours within specifically designated loading areas. No articles so stored shall be advertised or marked for sale at or from the loading area nor shall the loading area be used for merchandise display.

19.740.080 Application and Permit Issuance

- A. The owner of the property proposed to be occupied by a temporary use or the owner's authorized representative, such as a property manager, leasing agent, or manager of the sole business on the site shall file an application for a temporary use permit with the Planning Division at least 5 working days prior to the proposed commencement of the use. One application may apply to more than one occurrence on the same site as otherwise permitted by this Chapter.

- B. The Zoning Administrator or authorized designee shall review the temporary use permit application for compliance with Sections 19.740.020 (Applicability) and 19.740.050 (Development and Operational Standards) of this Chapter and shall approve or deny the application within five working days of receipt of a complete application. The applicant, having obtained all of the required City department and agency signatures, must obtain any additional required permits before operation of the temporary use. Approval of a temporary use permit does not constitute approval of any other required permits.
- C. If in the judgment of the Zoning Administrator or authorized representative, a proposed temporary use, even if in compliance with Sections 19.740.020 (Applicability) and 19.740.050 (Development and Operational Standards) of this Chapter may have a substantial adverse impact on public health, safety or welfare, the Zoning Administrator may elect not to approve a temporary use permit and may refer the application for disposition by the City Council at its next regularly scheduled meeting.
- D. Failure to comply with the limitations contained in Sections 19.740.020 (Applicability) and 19.740.050 (Development and Operational Standards) shall be grounds for denial and/or revocation of a temporary use permit.
- E. Failure to comply with any of the provisions of this section shall authorize the Community Development Director or authorized designee to issue a stop work order and upon issuance of the stop work order, the temporary use shall cease until continuation is authorized by the Community Development Director or authorized designee.

19.740.090 Revocation of Temporary Use Permits

- A. If the Zoning Administrator determines that a temporary use is being operated contrary to the terms and conditions of a temporary use permit, or if circumstances under which the temporary use permit was issued have changed, such in the opinion of the Zoning Administrator operation of the temporary use poses a negative impact on the public health, safety or general welfare, the Zoning Administrator shall issue an order to immediately cease and desist such operation. Upon receipt of the order, such operation of a temporary use shall immediately cease and desist.
- B. The Zoning Administrator's order may be appealed in writing within 2 working days of its receipt to the City Manager. The City Manager or authorized designee shall act on the appeal within 5 working days of the receipt of a property filed appeal. In any case, the temporary use must immediately cease and desist pending consideration of the appeal.

19.740.100 Appeal

Appeals may be filed pursuant to Sections 19.680.030 B (Filing an Appeal) and 19.690.020 D (Effective Date of Permits and Actions).

19.740.110 Temporary Use Permit Process in Flow Chart Form

